

Application No. 10/669,580  
Response to Office Action

Customer No. 01933

**REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

**RE: THE SPECIFICATION**

The specification has been amended to move the incorporation by reference of JP 2002-279685 to the first page of the specification, as requested by the Examiner. Clearly, no new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

**RE: THE DRAWINGS**

The Examiner objected to Fig. 1 as including a reference character (21) not described in the specification. It is respectfully pointed out, however, that reference numeral 21 is mentioned in the specification at page 6, line 14. Therefore, it is respectfully requested that the objection to the drawings be withdrawn.

**RE: THE CLAIMS**

Claims 1-6 have been canceled, without prejudice, and claims 7-12 have been added.

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New independent claim 7 and corresponding computer program claim 12 have been added based on (now canceled) claim 1 and corresponding computer program claim 6.

In particular, it is respectfully pointed out that new independent claims 7 and 12 have been prepared to clarify that the logarithmic graph plotting unit plots the produced logarithmic graph on a display screen.

Still further, new independent claim 7 and corresponding computer program claim 12 have been prepared to clarify the features of the present invention whereby: (i) an x-logarithmic scale number determining unit (and a corresponding y-logarithmic scale number determining unit) is provided for, when the x-axis (y-axis) is selected to be set as the logarithmic x-axis (y-axis), determining a number of logarithmic scales for the x-axis (y-axis), based on a number obtained by calculating a difference between a logarithm of the x-minimum (y-minimum) value and a logarithm of the x-maximum (y-maximum) value and converting the calculated difference to an integer; and (ii) an x-logarithmic scale plotting unit (and a corresponding y-logarithmic scale plotting unit) is provided for plotting the determined number of logarithmic scales for the x-coordinate range (y-coordinate range), as supported by the disclosure in the specification at

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page 12, line 21 to page 15, line 15 and at page 16, line 6 to page 19, line 5.

In addition, new claims 8-11 depending from new independent claim 7 have been prepared based on the subject matter of original claims 2-5, respectively. In this connection, it is noted that new claim 8 has been prepared to clarify the feature of the present invention whereby the range setting image and the logarithmic axis setting image are displayed on the display screen in parallel (see Figs. 2A and 2B).

No new matter has been added, and it is respectfully requested that new claims 7-12 be approved and entered.

RE: THE REJECTIONS UNDER 35 USC 101 and 35 USC 102

Claims 1-5 were rejected under 35 USC 102 as being anticipated by a mental process of a human being augmented with pencil and paper. In addition, claims 1 and 3-5 were rejected under 35 USC 101 as being directed to non-statutory subject matter.

Specifically, the Examiner contends that claims 1 and 3-5 are non-statutory and anticipated by mental processes in a human being and/or are directed to the mere manipulation of abstract ideas. And the Examiner cites *In re Prater* (162 USPQ 541) in support of the rejections under 35 USC 101 and 35 USC 102.

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It is respectfully pointed out, however, that in *In re Prater* the CCPA only affirmed the rejection under 35 USC 101 of process claims that encompassed the claimed method practiced via pencil and paper. However, the CCPA reversed the rejection under 35 USC 101 of the corresponding apparatus claim.

According to the present invention as recited in new independent claims 7 and 12, the logarithmic graph plotting unit plots the produced logarithmic graph on a display screen. Thus, according to the present invention as recited in new independent claims 7 and 12, the logarithmic graph plotting apparatus provides the useful, concrete and tangible result of plotting a logarithmic graph on a display screen.

As explained in MPEP 2106, a claim should be rejected under 35 USC 101 only when it is "devoid of any limitation to a practical application in the technological arts." The claimed present invention, however, clearly does provide a practical application in the technological arts.

Accordingly, it is respectfully requested that the rejection of claims 1 and 3-5 under 35 USC 101 be withdrawn.

It is also respectfully submitted, moreover, that the apparatus and computer program recited in new claims 7 and 12 do not at all correspond to mere mental processes which can be carried out by a human with pencil and paper. Rather, the

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apparatus of the present invention as recited in new claim 7 comprises physical units which perform various functions to plot a logarithmic graph and display the plotted logarithmic graph on a display screen. And the computer program of new claim 12 controls the operation of a computer to perform the same functions.

Accordingly, it is respectfully requested that the rejection under 35 USC 102 also be withdrawn.

RE: THE PRIOR ART REJECTION

Claims 1-3, 5 and 6 were rejected under 35 USC 103 as being obvious in view of the combination of "OrCAD Pspice Quick Reference" OrCAD<sup>™</sup>, Inc. ("OrCAD") and "How to Get Started with Pspice for Beginners" by Jan Van der Spiegel ("Spiegel"), backed by Official Notice; and claim 4 was rejected under 35 USC 103 as being obvious in view of the combination of OrCAD, Spiegel and "Loudspeaker Voice-Coil Inductance Losses: Circuit Models, Parameter Estimation, and Effect on Frequency Response" by Marshall Leach ("Leach"). These rejections, however, are respectfully traversed with respect to new claims 7-12 as set forth hereinabove.

As recognized by the Examiner, Spiegel explains that an output of the PSpice program may be graphed via PSpice Probe.

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And as recognized by the Examiner, OrCAD discloses that the PSpice Probe toolbar includes buttons for toggling the scaling of the x- and y-axes between logarithmic and linear scaling.

It is respectfully submitted, however, that OrCAD and Spiegel do not disclose, teach or suggest: (I) an x-logarithmic scale number determining unit for, when the x-axis is selected to be set as the logarithmic x-axis, determining a number of logarithmic scales for the x-axis, based on a number obtained by calculating a difference between a logarithm of the x-minimum value and a logarithm of the x-maximum value and converting the calculated difference to an integer; and (ii) an x-logarithmic scale plotting unit for plotting the determined number of logarithmic scales for the x-coordinate range, as recited in new independent claims 7 and 12.

And it is respectfully submitted that OrCAD and Spiegel similarly do not disclose, teach or suggest: (i) a y-logarithmic scale number determining unit for, when the y-axis is selected to be set as the logarithmic y-axis, determining a number of logarithmic scales for the y-axis, based on a number obtained by calculating a difference between a logarithm of the y-minimum value and a logarithm of the y-maximum value and converting the calculated difference to an integer; and (ii) a y-logarithmic scale plotting unit for plotting the determined number of

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logarithmic scales for the y-coordinate range, as recited in new independent claims 7 and 12.

With this structure, according to the claimed present invention, arbitrary values may be set for the x- and y-coordinate ranges, and it is possible to determine the number of logarithmic scales necessary and to plot the necessary logarithmic scales based on the arbitrarily input x- and y-coordinate ranges.

With respect to new claim 8, moreover, it is respectfully submitted that OrCAD and Spiegel do not disclose, teach or suggest the feature of the present invention whereby the range setting image and the logarithmic axis setting image are displayed on the display screen in parallel, as recited in new claim 8.

With respect to new claim 9, it is respectfully submitted that OrCAD and Spiegel do not disclose, teach or suggest the feature of the present invention whereby a unit is provided for indicating an error when at least one of the x- and y-axes is selected to be set as the corresponding logarithmic x- and y-axes in the logarithmic axis setting image, and when a value in the at least one of the x- and y-coordinate ranges corresponding to the selected at least one of the x- and y-axes is not positive in the range setting image, as recited in new claim 9.

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Still further, it is respectfully submitted that Leach has merely been cited for the disclosure of straight lines extending from the plotted logarithmic scales.

In view of the foregoing, it is respectfully submitted that the present invention as recited in new claims 7 and 12, and new claims 8-11 depending from new claim 7, clearly patentably distinguishes over OrCAD, Spiegel and Leach, taken singly or in any combination, under 35 USC 103.

\* \* \* \* \*

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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